



COMMUNITY DEVELOPMENT DEPARTMENT

17555 Peak Avenue Morgan Hill CA 95037 (408) 779-7247 Fax (408) 779-7236
Website Address: www.morgan-hill.ca.gov

PLANNING COMMISSION

TUESDAY, NOVEMBER 12, 2002

**CITY COUNCIL CHAMBERS
CIVIC CENTER
17555 PEAK AVENUE
MORGAN HILL, CA**

COMMISSIONERS

CHAIR GENO ACEVEDO
VICE-CHAIR JOSEPH MUELLER
COMMISSIONER ROBERT J. BENICH
COMMISSIONER ROBERT ENGLES
COMMISSIONER ROBERT L. ESCOBAR
COMMISSIONER RALPH LYLE
COMMISSIONER CHARLES D. WESTON

REGULAR MEETING - 7:00 P.M.

***** A G E N D A *****

NOTICE TO THE PUBLIC

The following policies shall govern the conduct of the Planning Commission meetings:

- *All Planning Commission proceedings are tape-recorded.*
- *Individuals wishing to address the Planning Commission on a particular item should fill out a speaker card and present it to the Secretary. This will assist the Chairperson in hearing your comments at the appropriate time.*
- *When the Chairperson invites you to address the Commission, please state your name and address at the beginning of your remarks.*
- *Speakers will be recognized to offer presentations in the following order:*
 - *Those supporting the application*
 - *Those opposing the application*
 - *Those with general concerns or comments*
 - *Presentations are limited to 5 minutes.*

DECLARATION OF POSTING OF AGENDA IN ACCORDANCE WITH

GOVERNMENT CODE SECTION 54954.2 - SECRETARY REPORT
OPEN PUBLIC COMMENT PERIOD (5 MINUTES)

Now is the time for presentation from the public on items **NOT** appearing on the agenda that are within the Planning Commission's jurisdiction. Should your comments require Commission action, your request will be placed on the next appropriate agenda. No Commission discussion or action may be taken until your item appears on a future agenda. You may contact the Planning Division for specific time and dates. This procedure is in compliance with the California Public Meeting Law (Brown Act) G.C. 54950.5. Please limit your comments to five (5) minutes.

MINUTES: October 22, 2002

OLD BUSINESS:

1. **CONDITIONAL USE PERMIT, UP-02-07: MONTEREY-SINALOA:** A request for conditional use permit approval for the reconstruction and expansion of a restaurant recently destroyed in a fire. The restaurant is proposed to be 5,948 sf on two parcels totaling 0.90 acres in size, located on the northeast corner of Monterey Rd and Peebles Ave. (APNs 726-41-016 & -017)

Recommendation: Adopt Resolution No. 02-81, approving request.

NEW BUSINESS:

2. **DEVELOPMENT AGREEMENT, DA-02-07: SHAFER-BAMDAD:** A request for approval of a development agreement for a 15-lot single-family residential subdivision on an 8.583-acre site. The project is located west of Hill Rd., at the terminus of Shafer Ave. and Katybeth Way, north of Conte Way in an R-1 (12,000)/RPD zoning district. (APN 728-10-005)

Recommendation: Open Public Hearing and Adopt Resolution No. 02-82, approving request.

3. **DEVELOPMENT AGREEMENT, DA-02-10: E. DUNNE-FIRST COMMUNITY HOUSING:** A request for approval of a development agreement for phase II of the Murphy Ranch project currently under construction on the south east corner of the intersection of Butterfield Blvd. and E. Dunne Ave. Phase II of the development consists of 38 of the total 100 unit development. (APN 817-11-060)

Recommendation: Open Public Hearing and Adopt Resolution No. 02-83, approving request.

4. **DEVELOPMENT AGREEMENT AMENDMENT, DAA-01-06: COCHRANE-COYOTE RANCH:** A request to amend the development agreement for phase six of the Coyote Estates project to be located near the intersection of Cochrane Rd. and Peet Rd. The amendment request would extend sixteen building allocations for six months. (APN 728-42-008, 017, & 728-43-021)

Recommendation: Open Public Hearing and Adopt Resolution No. 02-84, approving request.

5. **ZONING AMENDMENT, ZA-02-17: CITY OF MORGAN HILL-ZONING TEXT AMENDMENT REGARDING PARKING LOT AND SIDEWALK SALES:**

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Recommendation: Consider amendments to the Municipal Code establish new regulations regarding parking lot sales.

OTHER BUSINESS:

6. PLANNING COMMISSION CRITERIA FOR DETERMINING OVERALL PROJECT EXCELLENCE - QUALITY OF CONSTRUCTION CATEGORY:

Recommendation: Establish criteria for determining overall project excellence for the upcoming RDCS competition

7. GENERAL PLAN IMPLEMENTATION REPORT:

Recommendation: Approve General Plan Implementation Report by minute action.

8. HOLIDAY SCHEDULE:

Recommendation: Discuss and approve holiday meeting schedule

TENTATIVE UPCOMING AGENDA ITEM FOR THE NOVEMBER 26, 2002 MEETING:

- **USA-01-07: Diana-Kubo/Patel**
- **UP-02-08: Cochrane-Cingular Wireless**
- **ZAA-01-10: Central-Warmington**
- **SD-02-10: Central-Warmington**
- **DA-02-08: Central-Warminton**
- **UP-02-11: Caputo-South Valley Developers**
- **ZA-02-17: City of MH-Zoning Text Amendment regarding Parking Lot & Sidewalk Sales**
- **In Lieu Fee for Open Space Transfer Density Credits (TDC)**

ANNOUNCEMENTS:

CITY COUNCIL REPORTS

ADJOURNMENT

SPEAKER CARD

IN ACCORDANCE WITH GOVERNMENT CODE 54953.3, IT IS NOT A REQUIREMENT TO FILL OUT A SPEAKER CARD IN ORDER TO SPEAK TO THE PLANNING COMMISSION. HOWEVER, it is very helpful to the

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Commission if you would fill out the Speaker Card that is available on the counter in the Council Chambers. Please fill out the card and return it to the Deputy City Clerk. As your name is called by the Chairperson, please walk to the podium and speak directly into the microphone. Clearly state your name and address and proceed to comment upon the agenda item. Please limit your remarks to three (3) minutes.

NOTICE

AMERICANS WITH DISABILITY ACT (ADA)

The City of Morgan Hill complies with the Americans with Disability Act (ADA) and will provide reasonable accommodation to individuals with disabilities to ensure equal access to all facilities, programs and services offered by the City.

If assistance is needed regarding any item appearing on the Planning Commission agenda, please contact the Office of the City Clerk at City Hall, 17555 Peak Avenue or call 779-7259 or Hearing Impaired only- TDD 776-7381 to request accommodation.

NOTICE

***NOTICE IS GIVEN** pursuant to Government Code Section 65009, that any challenge of any of the above agenda items in court, may be limited to raising only those issues raised by you or on your behalf at the Public Hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to the Public Hearing on these matters.*

NOTICE

The time within which judicial review must be sought of the action taken by the Planning Commission which acted upon any matter appearing on this agenda is governed by the provisions of Section 1094.6 of the California Code of Civil Procedure.